

05/05/2008 10:59 FAX

002/003

McKENNA, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
CASE #:
DATE FILED: 5/7/08

WANDA CRUZ,

Plaintiff,

08-CV-3411-LMM-AJP

v.

STIPULATION AND ORDER

SMITHKLINE BEECHAM CORPORATION,
GLAXOSMITHKLINE, and
SMITHKLINE BEECHAM CORPORATION
d/b/a GLAXOSMITHKLINE,

Defendants.

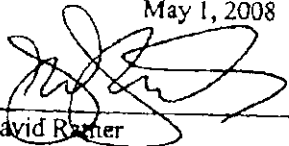
IT IS HEREBY STIPULATED AND AGREED between counsel for the parties to the above-captioned action, plaintiff Wanda Cruz and defendant SmithKline Beecham Corporation d/b/a GlaxoSmithKline, that the time for defendant to move, plead or otherwise respond to plaintiff's complaint is hereby extended from May 5, 2008, until the transfer of this action to the Multidistrict Litigation entitled *In re: Avandia Marketing, Sales Practices and Products Liability Litigation*, Case No. 2:07-md-01871-CMR, currently pending before Judge Cynthia M. Rufe in the Eastern District of Pennsylvania (the "MDL"). Thereafter, defendant's time to move, plead, or otherwise respond to plaintiff's complaint shall be determined by Judge Rufe, consistent with a case management order now in effect in the MDL. See Case Management Order No. 1 dated February 28, 2008, at p. 9 (attached at Exhibit A).

The parties have sought no previous extension of time in this matter.


05/05/2008 11:00 FAX

003/003

DATED: New York, New York
May 1, 2008


David Ratner
Victoria J. Maniatis (VM 6388)
MORELLI RATNER, P.C.
950 Third Avenue
New York, NY 10022

Attorneys for Plaintiff Wanda Cruz



Kenneth J. King (KK 3567)
Suzanne M. D'Amico (SD 3581)
PEPPER HAMILTON LLP
The New York Times Building
620 Eighth Avenue, 37th Floor
New York, NY 10018-1405

and

Nina M. Gussack
PEPPER HAMILTON LLP
3000 Two Logan Square
18th and Arch Streets
Philadelphia, PA 19103-2799

Attorneys for Defendant
SmithKlineBeecham Corporation
d/b/a GlaxoSmithKline

SO ORDERED.


U.S.D.J.
Dated: 5/7/08